

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

IN RE: HUGH JOSEPH COFFEY

Debtor

)

Case No. 16-11823-MBK

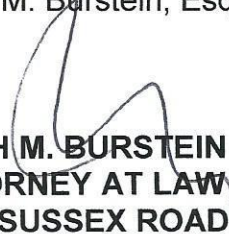
Chapter 7

)

NOTICE OF MOTION

PLEASE TAKE NOTICE that the undersigned attorney for Debtor **HUGH J. COFFEY**. shall apply to the above named Court at the united States Courthouse, 402 East State St., Trenton, New Jersey on Monday, January 23, 2017 at 10:00 A.M., or as soon thereafter as counsel can be heard, for an Order staying eviction of Debtor from his family home located at 292 Princeton Avenue, Bayville, New Jersey and temporarily reinstating the automatic stay during the pendency of this matter.

PLEASE TAKE FURTHER NOTICE, that the debtor shall rely upon the annexed Certification of Noah M. Burstein, Esq.



**NOAH M. BURSTEIN
ATTORNEY AT LAW
1244 SUSSEX ROAD
TEANECK NJ 07666
201-791-4888**

CERTIFICATION OF NOAH M. BURSTEIN

NOAH M. BURSTEIN certifies as follows:

1. I am an attorney at law of New Jersey and of this court and am fully familiar with this matter.
2. I make this certification in support of the Motion of the debtor for a temporary stay of a scheduled eviction of the debtor from his premises at 292 Princeton Avenue, Bayville, New Jersey and temporarily reinstating the automatic stay as to that property which is his one and only home.
3. The eviction by the Ocean county Sheriff is scheduled for Tuesday, December 13, 2016 at 11:00 AM, as a result of a foreclosure judgment against Debtor's personal home.
4. While it appears that debtor did not have the funds to prevent the foreclosure judgment from happening, due to his having been the victim of a catastrophic industrial accident which left him totally disabled, he will soon be most likely receiving a substantial settlement from his personal injury case which is pending in Supreme Court of the State of New York in the Bronx New York. The debtor anticipates being able to pay off the mortgage in full. At this time the case has been pending for several years but there is a mediation and settlement session scheduled for January 23, 2017 in New York, New York.
5. Furthermore, an eviction proceeding at this very time, immediately before the Holidays would be a devastating blow to the debtor's health.
6. It would not be an imposition of great moment to defer the eviction for 90 days in order to make it possible for the Debtor to in fact be able to pay off the mortgage debt in full from the proceeds of his settlement.
7. Debtor is totally and permanently disabled as a result of an industrial accident which occurred on December 11, 2010. This is the reason for his economic difficulty and why he could not pay the mortgage. If only in the interest of justice Debtor should have the opportunity to see if his personal injury case which is coming to a head shortly will yield the funds (because his injury was catastrophic) to pay off his mortgage.

I certify that the foregoing statements of fact are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



NOAH M. BURSTEIN

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

[Click here to enter text.](#)

In Re:

HUGH JOSEPH COFFEY

Case Number: 16-11823

Hearing Date: 01/23/2017

Judge: KAPLAN

Chapter: 7

Recommended Local Form: ☒ Followed ☐ Modified

ORDER REINSTATING AUTOMATIC STAY

The relief set forth on the following page is hereby **ORDERED**.

This matter having been presented to the Court by NOAH M., BURSTEIN ATTORNEY FOR THE DEBTOR and the Court having reviewed the motion and any opposition filed, and for good cause shown it is

ORDERED that:

The automatic stay as to WELLS FARGO is reinstated effective the date of this order.

rev.7/12/16

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:
HUGH JOSEPH COFFEY

Case No.: 16-11823

Chapter: 7

Adv. No.: _____

Hearing Date: 01/23/2017

Judge: KAPLAN

CERTIFICATION OF SERVICE

1. I, NOAH M. BURSTEIN :

☒ represent DEBTOR in this matter.

☐ am the secretary/paralegal for _____, who represents
_____ in this matter.

☐ am the _____ in this case and am representing myself.

2. On 12/12/2016, I sent a copy of the following pleadings and/or documents
to the parties listed in the chart below.

NOTICE OF MOTION FOR AN ORDER STAYING EVICTION

3. I certify under penalty of perjury that the above documents were sent using the mode of service
indicated.

Date: _____

Signature _____

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
KAREN E. BEZNER, ESQ 567 PARK AVE SUITE 103 SCOTCH PLAINS NJ 07076	TRUSTEE	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other NEF (As authorized by the Court or by rule. Cite the rule if applicable.)
WELLS FARGO/ KML LAW GROUP 216 HADDON AVE SUITE 406 WESTMONT NJ 08108	CREDITOR	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)